



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

Alan W. Weinblatt  
Weinblatt & Gaylord, PLC  
Kellogg Square, Suite 300  
111 East Kellogg Boulevard  
Saint Paul, MN 55101

**OCT 28 2008**

**RE: MUR 5637**  
**Matthew Entenza**

**Dear Mr. Weinblatt:**

On January 14, 2005, the Federal Election Commission notified your client, Matthew Entenza, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. On October 21, 2008, the Commission found, on the basis of the information in the complaint and other information, that there is no reason to believe Mr. Entenza knowingly made excessive contributions to 21<sup>st</sup> Century Democrats. Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). The Factual and Legal Analysis, which explains the Commission's finding, is enclosed for your information.

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

  
Julie K. McConnell  
Assistant General Counsel

Enclosure  
Factual and Legal Analysis

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**FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS**

**Respondent: Matthew Entenza**

**MUR: 5637**

1        This matter arises from a complaint alleging that Matthew Entenza, a Minnesota State  
2        Representative, violated the Federal Election Campaign Act of 1971, as amended (the "Act"), by  
3        knowingly contributing funds to 21<sup>st</sup> Century Democrats to influence Federal elections in  
4        amounts in excess of Federal contribution limits. 21<sup>st</sup> Century Democrats is a Washington, DC  
5        based unincorporated organization established in 1988 with Federal and non-Federal accounts.

6        According to Mr. Entenza, Kelly Young, the former president of 21<sup>st</sup> Century Democrats,  
7        personally sought a contribution from him to support a voter mobilization effort targeted at  
8        young voters. Entenza stated that Young told him that the program would not endorse any  
9        specific candidates for State or Federal office. In response to the solicitation, Entenza donated  
10       \$300,000 to 21<sup>st</sup> Century Democrats.

11       Because Entenza appears to have donated to 21<sup>st</sup> Century Democrats in an effort to fund a  
12       voter drive that did not target specific candidates, he did not make a "contribution" under the  
13       Act. *See FEC v. Survival Education Fund, Inc.*, 65 F.3d 285, 295 (2d Cir. 1995) (fundraising  
14       solicitation clearly indicating that the funds received would be targeted to the election or defeat  
15       of a clearly identified candidate for Federal office results in contributions under the Act).  
16       Accordingly, the Commission finds no reason to believe that Entenza knowingly made excessive  
17       contributions to 21<sup>st</sup> Century Democrats.

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